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**131 IN THE HIGH COURT OF PUNJAB AND HARYANA  
AT CHANDIGARH**

**CRM-M-20735-2025**

Date of Decision: 22.04.2025

Rahul

..... Petitioner

Versus

State of Haryana

.....Respondent

**CORAM: HON'BLE MR. JUSTICE RAJESH BHARDWAJ**

Present: Mr. Rajesh Nain, Advocate, for the petitioner.

**Rajesh Bhardwaj, J. (ORAL)**

1. Prayer in the present petition is for quashing of the order dated 15.07.2024 (Annexure P-4) passed by learned Judicial Magistrate First Class, Tohana in case No.CHI/65/2019, vide which bail of the petitioner stands cancelled and his bail bonds and surety bonds were forfeited and non-bailable warrants were issued against the petitioner in a case FIR No.335 dated 27.11.2018, under Sections 323, 148, 149, 506 IPC, registered at Police Station Sadar Tohana, District Fatehabad.

2. It has been contended by learned counsel for the petitioner that the petitioner has been falsely implicated in the present case. He submits that the petitioner was released on bail by Police and thereafter, he was regularly before the Court till 21.12.2023. He submits that thereafter, the petitioner solemnized love marriage against the wishes and consent of his family and due to which he left his home and it is because of the same, he could not appear before the trial Court and his bail was cancelled and his bail/surety bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants vide order dated 15.07.2024. He submits that absence of the petitioner was totally unintentional and due to



the circumstances beyond his control. He further submits that the petitioner is ready to appear before the trial Court and abide by all the terms and conditions, if any imposed by this Court.

3. Notice of motion.

4. Mr. Sumit Jain, Addl. AG, Haryana, accepts notice on behalf of the State and has opposed the submissions made by counsel for the petitioner. He has submitted that learned trial Court has rightly cancelled the bail of the petitioner, as he intentionally did not appear before it, on the date fixed.

5. After hearing learned counsel for the parties and perusing the record, it is evident that due to non-appearance of the petitioner on 15.07.2024, his bail was cancelled and his bail bonds/surety bonds were forfeited to the State and he was ordered to be summoned through non-bailable warrants. The reason for non-appearance before the Court on the date fixed, as given by the petitioner is leaving home by the petitioner due to his love marriage. The Court without going into the authenticity of the ground taken for the absence of the petitioner, deems it appropriate to direct the petitioner to appear the Court concerned to face the trial in the present case. In these circumstances, when the petitioner is ready to join the trial and face the proceedings, the order dated 15.07.2024 is set aside subject to payment of Rs.10,000/- as costs to be paid to the **Sadhna Society for Mentally Handicapped, Near Housing Board Chowk, Raen Basera Building, Manimajra, Sector 13, Chandigarh** by the petitioner within period of seven days from today.

6. The petitioner is directed to appear before the trial Court within



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a period of ten days from today and file an appropriate application alongwith receipt of abovesaid costs and the trial Court would grant him bail till the disposal of the case on his furnishing fresh bail/surety bonds to its satisfaction. The petitioner will have protection from arrest for a period of 10 days from today. The trial Court is free to impose any condition on the petitioner while admitting him to bail.

7. Needless to say that in case the petitioner fails to comply with the abovesaid direction, this order would be of no avail to him and the order dated 15.07.2024 will come in force and the present petition shall be deemed to have been dismissed.

8. Petition stands disposed of in abovesaid terms.

**22.04.2025**  
sharmila

Whether Speaking/Reasoned  
Whether Reportable

: Yes/No  
: Yes/No

**(RAJESH BHARDWAJ)**  
**JUDGE**